

ORIGINAL



0000104014

**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING  
COMMITTEE**

IN THE MATTER OF THE APPLICATION OF  
SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT, IN  
CONFORMANCE WITH THE REQUIREMENTS  
OF ARIZONA REVISED STATUTES, SECTIONS  
40-360, et seq., FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF A 230 kV  
DOUBLE-CIRCUIT TRANSMISSION LINE  
ORIGINATING AT THE PLANNED AND  
PERMITTED ABEL SUBSTATION, NEAR JUDD  
AND ATTAWAY ROADS IN PINAL COUNTY,  
TO THE PLANNED AND PERMITTED RS-17  
SUBSTATION, ADJACENT TO THE EXISTING  
MOODY SUBSTATION, LOCATED NEAR  
PECOS AND RECKER ROADS, IN THE TOWN  
OF GILBERT, MARICOPA COUNTY,  
ARIZONA, AND INCLUDING A NEW 230/69 kV  
SUBSTATION NEAR THE INTERSECTION OF  
COMBS AND MERIDIAN ROADS, IN OR  
ADJACENT TO THE TOWN OF QUEEN CREEK,  
ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

**NOTICE OF FILING E-MAIL  
COMMUNICATION**

RECEIVED  
2009 OCT 19 A 11:56  
AZ CORP COMMISSION  
DOCKET CONTROL

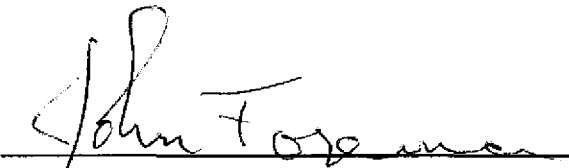
The Chairman of the Arizona Power Plant and Transmission Line Siting Committee is providing notice of filing the attached e-mail communications that have occurred between the Parties to this case and the Chairman, up to this date, since the previous filing on October 9, 2009.

DATED: October 19, 2009

Arizona Corporation Commission  
**DOCKETED**

OCT 19 2009

DOCKETED BY	<i>MM</i>
-------------	-----------

  
John Foreman, Chairman  
Arizona Power Plant and Transmission  
Line Siting Committee  
Assistant Attorney General  
[john.foreman@azag.gov](mailto:john.foreman@azag.gov)

1 Pursuant to A.A.C. R14-3-204,  
2 The Original and 25 copies were  
3 filed October 19, 2009 with:

4 Docket Control  
5 Arizona Corporation Commission  
6 1200 W. Washington St.  
7 Phoenix, AZ 85007

8 Copy of the above was mailed  
9 this 19<sup>th</sup> day of October, 2009 to:

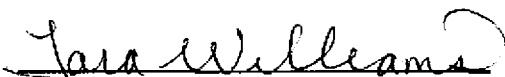
10 Janice Alward, Chief Counsel  
11 Arizona Corporation Commission  
12 1200 West Washington Street  
13 Phoenix, AZ 85007  
14 Counsel for Legal Division Staff

15 Kenneth C. Sundlof, Jr.  
16 Jennings, Strouss & Salmon, PLC  
17 The Collier Center, 11<sup>th</sup> Floor  
18 201 East Washington Street  
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20 Counsel for Applicant, SRP

21 Robert Taylor  
22 Salt River Project Agricultural Improvement & Power District  
23 Regulatory Affairs & Contracts, PAB 221  
24 P.O. Box 52025  
25 Phoenix, AZ 85072-2025  
26 Co-Counsel for Applicant, SRP

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2901 North Central Avenue, Suite 200  
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Counsel for the Town of Queen Creek

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5 Counsel for the City of Mesa  
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7 William P. Sullivan  
8 Larry K. Udall  
9 Curtis, Goodwin, Sullivan, Udall & Schwab, PLC  
10 501 East Thomas Road  
11 Phoenix, AZ 85012-3205  
12 Counsel for the Town of Gilbert  
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14 Kyle Mieras  
15 90 East Civic Center Drive  
16 Gilbert, AZ 85296  
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18 Lawrence V. Robertson, Jr.  
19 P.O. Box 1448  
20 2247 East Frontage Road  
21 Tubac, AZ 85646  
22 Counsel for Pinal County  
23  
24 Christopher Schmaltz  
25 Gust Rosenfeld, PLC  
26 201 East Washington Street, Suite 800  
Phoenix, AZ 85004  
Counsel for Phoenix-Mesa Gateway Airport  
  
Gregory Miles  
Shawn Nelson  
Davis Miles, PLLC  
P.O. Box 15070  
Mesa, AZ 85211  
Counsel for Vlachos  
  
Marta T. Hetzer  
Arizona Reporting Service, Inc.  
2200 North Central Avenue  
Phoenix, AZ 85004-1481

25 

**From:** "Maser, Michele R." <MMaser@jsslaw.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 10/9/2009 2:43 PM  
**Subject:** Case No. 148

Hi Tara,

The Crowne Plaza San Marcos has reserved three rooms at \$99 each night for the out-of-town attendees. They can either visit the Web site, [https://resweb.passkey.com/Resweb.do?mode=welcome\\_ei\\_new&eventID=1464275](https://resweb.passkey.com/Resweb.do?mode=welcome_ei_new&eventID=1464275) <[https://resweb.passkey.com/Resweb.do?mode=welcome\\_ei\\_new&eventID=1464275](https://resweb.passkey.com/Resweb.do?mode=welcome_ei_new&eventID=1464275)> 5> or call the toll-free number: 1-888-233-9527 and reference the Abel-Moody hearings.

The hotel was gracious enough to hold these rooms without a contract from SRP. Please note that they need to make their reservations by October 14.

Michele

Michele Irons Maser  
Legal Assistant  
Jennings, Strouss & Salmon P.L.C.  
201 E. Washington Street, 11th Floor  
Phoenix, AZ 85004-2385  
T: 602.262.5983  
F: 602.495.2693

C: 602.463.1082  
[mmaser@jsslaw.com](mailto:mmaser@jsslaw.com) <<mailto:mmaser@jsslaw.com>>  
[www.jsslaw.com](http://www.jsslaw.com) <<http://www.jsslaw.com>>

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**From:** "Nicole Stewart" <n.stewart@fjslegal.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 10/12/2009 4:04 PM  
**Subject:** Deadline for filing testimony

Ms. Williams,

Can you please let me know the deadline for filing testimony summaries for the Oct. 19 Abel-Moody hearing?

Thank you,

Nicole M. Stewart

Legal Assistant

Law Offices of Francis J. Slavin, P.C.

2198 E. Camelback Road, Suite 285

Phoenix, Arizona 85016

(602) 381-8700

**From:** "Nicole Stewart" <n.stewart@fjslegal.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 10/12/2009 5:12 PM  
**Subject:** Re: Deadline for filing witness testimony

Ms. Williams:

Please disregard my previous message. We reviewed the scheduling order regarding submitting witness testimony and found the deadline. I apologize for any inconvenience this caused!

Best,

Nicole Stewart

Nicole M. Stewart

Legal Assistant

Law Offices of Francis J. Slavin, P.C.

2198 E. Camelback Road, Suite 285

Phoenix, Arizona 85016

(602) 381-8700

**From:** Tara Williams  
**To:** Michele R. Maser  
**Date:** 10/13/2009 11:34 AM  
**Subject:** Re: Case No. 148

Will do, thanks Michele.

Tara

>>> "Maser, Michele R." <[MMaser@jsslaw.com](mailto:MMaser@jsslaw.com)> 10/13/2009 11:33 AM >>>  
Tara,

Apparently, Mike Palmer left a message at the San Marcos that he was unable to make a reservation (maybe using the Web site). Obviously, I can't call him. Would you please let him know that he can call Stacey Bloemke at the San Marcos directly and she will take his reservation? Her number is 480-857-4496.

Michele Irons Maser  
Legal Assistant  
Jennings, Strouss & Salmon P.L.C.  
201 E. Washington Street, 11th Floor  
Phoenix, AZ 85004-2385  
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**From:** "JIM BRASELTON" <Jim.Braselton@mwmf.com>  
**To:** <John.Foreman@azag.gov>  
**Date:** 10/13/2009 2:13 PM  
**Subject:** RE: Mesa's Testimony Summaries  
**Attachments:** Town of Queen Creek's Responses to City of Mesa's First Data Requests.PDF

**CC:** <b.slavin@fjslegal.com>, <Tara.Williams@azag.gov>, <ejohnson@azcc.gov>, ...  
Attached is a document the Town of Queen Creek is filing with docket control today.

From: Craig Marks [mailto:craig.marks@azbar.org]  
Sent: Thursday, September 24, 2009 7:00 AM  
To: John.Foreman@azag.gov  
Cc: b.slavin@fjslegal.com; Tara.Williams@azag.gov; ejohnson@azcc.gov; JAlward@azcc.gov; kylemi@ci.gilbert.az.us; gmiles@davismiles.com; rporter@davismiles.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; GARY BIRNBAUM; JIM BRASELTON; sundlof@jsslaw.com; sswakefield@rhhklaw.com; Rob.Taylor@srpnet.com; ludall@cgsuslaw.com; wsullivan@cgsuslaw.com; Susan.Ellis@azag.gov; jkbrandt@srpnet.com; kjbarr@srpnet.com; Bill Taebel; TubacLawyer@aol.com; Maser, Michele R.; Shawn Nelson  
Subject: Mesa's Testimony Summaries

Chairman Foreman,

I am attaching copies of the testimony summaries for two witnesses that the City of Mesa will call at the hearing. Scot H. Rigby (Revised 9/23/09), and Vince Stark. In addition to these two witnesses, Mesa intends to have two more witnesses testify on its behalf: Walter L. Fix and Bryan G. Raynes. Mesa filed and distributed testimony summaries for these two witnesses on August 4, 2009.

We will be filing these at the Commission later today.

Thank you.

Craig

Craig A. Marks

10645 N. Tatum Blvd.

Suite 200-676

Phoenix, AZ 85028

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1 **BEFORE THE ARIZONA POWER PLANT AND**  
2 **TRANSMISSION LINE SITING COMMITTEE**

3 IN THE MATTER OF THE APPLICATION OF )  
4 SALT RIVER PROJECT AGRICULTURAL )  
5 IMPROVEMENT AND POWER DISTRICT, IN )  
6 CONFORMANCE WITH THE REQUIREMENTS) DOCKET No. L-00000B-09-0311-00148  
7 OF ARIZONA REVISED STATUTES, SECTIONS) Case No. 148  
8 40-360 et seq., FOR A CERTIFICATE OF )  
9 ENVIRONMENTAL COMPATIBILITY )  
10 AUTHORIZING CONSTRUCTION OF A 230 k V ) **TOWN OF QUEEN CREEK'S**  
11 DOUBLE-CIRCUIT TRANSMISSION LINE ) **RESPONSE TO CITY OF MESA'S**  
12 ORIGINATING AT THE PLANNED AND ) **FIRST DATA REQUESTS**  
13 PERMITTED ABEL SUBSTATION, NEAR JUDD)  
14 AND ATTAWAY ROADS IN PINAL COUNTY, )  
15 TO THE PLANNED AND PERMITTED RS-17 )  
16 SUBSTATION, ADJACENT TO THE EXISTNG )  
17 MOODY SUBSTATION, LOCATED NEAR )  
18 PECOS AND RECKER ROADS, IN THE TOWN )  
19 OF GILBERT, MARICOPA COUNTY, )  
20 ARIZONA, INCLUDING A NEW 230/69 kV )  
21 SUBSTATION NEAR THE INTERSECTION OF )  
22 COMBS AND MERIDIAN ROADS, IN OR )  
23 ADJACENT TO THE TOWN OF QUEEN )  
24 CREEK, ARIZONA

25 Before responding to the City of Mesa's ("Mesa") First Data Requests, the Town of  
26 Queen Creek ("Town") hereby notes its objections for the record. Nothing in the applicable  
rules of procedure with regard to Line Siting Committee hearings, or in the Procedural Order  
issued by the Chairman of the Committee in this matter, permits one intervenor to serve "data  
requests" on another intervenor. Further, many of the requests propounded by Mesa ask the  
Town to interpret and opine with regard to a newspaper article that the Town did not prepare or  
edit.

Subject to the foregoing, the Town provides the following information based solely upon  
its actual, current knowledge:

Please refer to the attached article from the August 21, 2009, on-line East Valley Tribune.

1-1 The article characterizes Ken Scarborough as an aviation consultant for  
the Town; is this characterization correct?

Response: Yes.

1 1-2 Does the Town intend to present Mr. Scarborough as a witness on its  
2 behalf in the above-captioned docket?

3 Response: The Town reserves the right, in the exercise of its discretion, to call or  
4 decline to call Mr. Scarborough to testify. See the Town's separately filed witness disclosure  
5 and summary of anticipated testimony.

6 1-3 Does the attached article accurately reflect Mr. Scarborough's opinions?  
7 If it does not, please provide any needed corrections or clarifications.

8 Response: The Town is informed and believes that, to the extent addressed in the  
9 referenced article, Mr. Scarborough's opinions are accurately reported. Verification of Mr.  
10 Scarborough's opinions will need to be provided by Mr. Scarborough. For a summary of his  
11 anticipated testimony, see the Town's separately filed witness disclosure and summary of  
12 anticipated testimony.

13 1-4 Does the attached article accurately reflect Mr. Scarborough's opinions?  
14 If it does not, please provide any needed corrections or classifications.

15 Response: To the best of the Town's current information, the answer is "yes."  
16 Verification of Mr. Scarborough's actual statement will need to be provided by Mr.  
17 Scarborough.

18 1-5 Does the Town intend to present any other person as a witness on its  
19 behalf in the above-identified docket? If so, please identify the witness and the subject matter  
20 of the expected testimony.

21 Response: See the Town's separately filed witness disclosure and summary of  
22 anticipated testimony. Witnesses have been and/or will be disclosed in accordance with the  
23 Procedural Order adopted by the Committee for purposes of this case.

24 1-6 Please provide the most recent resume or CV for Mr. Scarborough and  
25 for any other person expected to testify on behalf of the Town in the above-identified docket.

26 Response: A resume for Mr. Scarborough has been requested and will be provided  
upon the undersigned's receipt thereof.

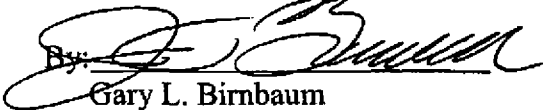
1-7 Please provide a copy of any analysis or similar study prepared by Mr.  
Scarborough or any other person for the Town related to the impact of an SRP transmission line  
on the operation of Phoenix-Mesa Gateway Airport.

Response: Mr. Scarborough has not been asked to prepare a written report. See  
the Town's separately filed witness disclosure and summary of anticipated testimony.

1 1-8. Please list all other cases or other proceedings in which Mr. Scarborough  
2 has provided testimony, the date of the testimony, the entity on whose behalf he testified, and  
3 the subject matter of his testimony.

4 Response: The Town objects to this request as unduly burdensome and not  
5 provided for in the Procedural Order applicable to this case. Further, the Town has no  
6 information on its possession responsive to this request. If Mr. Scarborough testifies before the  
Committee, he will be subject to cross-examination on these subjects.

7 **MARISCAL, WEEKS, MCINTYRE**  
8 **& FRIEDLANDER, P.A.**

9 By: 

Gary L. Birnbaum  
Arizona Bar No. 004386  
James T. Braselton  
Arizona Bar No. 010788  
2901 N. Central Avenue, Suite 200  
Phoenix, Arizona 8012  
Telephone: (602)285-5111  
Fax: (602)285-5100  
Attorneys for Town of Queen Creek

15 Pursuant to A.A.C. R14-3-204, the original  
16 and twenty-five (25) copies of the foregoing  
Notice are hand-delivered for filing this 13<sup>th</sup> day  
17 of October 2009 to:

18 Docket Control  
19 Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

20 A copy of the foregoing Notice are  
21 being mailed this same date to:

22 John Foreman  
23 Assistant Arizona Attorney General  
24 Chairman, Arizona Power Plant and  
Transmission Line Siting Committee  
1275 West Washington  
25 Phoenix, Arizona 85007  
26

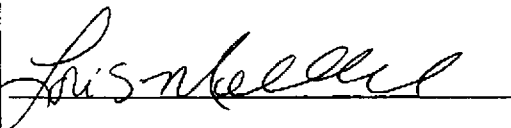
1 Janice Alward, Chief Counsel  
Legal Division  
2 Arizona Corporation Commission  
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4 Kenneth C. Sundlof, Jr.  
Attorney at Law  
5 Jennings, Strouss & Salmon, P.L.C  
201 East Washington Street, 11<sup>th</sup> Floor  
6 Phoenix, Arizona 85004  
7 Manny T. Gonzalez  
8 Assistant County Manager  
Pinal County  
9 Administrative Services  
P.O. Box 827  
10 31 North Pinal Street, Bldg. A, 2<sup>nd</sup>  
11 Florence, Arizona 85132-9713  
12 Craig Marks  
Craig A. Marks, PLC  
13 10645 North Tatum Blvd., Suite 200-676  
14 Phoenix, Arizona 85028  
15 Kyle Mieras  
90 East Civic Center Drive  
16 Gilbert, Arizona 85296  
17 Lawrence V. Robertson, Jr.  
P.O. Box 1448  
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4 Michael A. Curtis  
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7 Robert Taylor  
8 Regulatory Affairs & Contracts, PAB 221  
P.O. Box 52025  
9 Phoenix, Arizona 85072-2025

10 Marta T. Hetzer  
11 Arizona Reporter Services, Inc.  
2200 North Central Avenue  
12 Phoenix, Arizona 85004-1481

13   
14

15 U:\ATTORNEYS\UTB\Queen Creek, Towne of\Condemnation\Queen Creek\Pleadings\Town of Queen Creek's Responses to City of Mesa's First Data Requests.doc

**From:** "Maser, Michele R." <MMaser@jsslaw.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 10/13/2009 4:09 PM  
**Subject:** RE: Case No. 148

Hi Tara,

We will also have copies available at the hearing as well.

Michele

-----Original Message-----

**From:** Tara Williams [mailto:Tara.Williams@azag.gov]  
**Sent:** Tuesday, October 13, 2009 3:09 PM  
**To:** Maser, Michele R.  
**Subject:** Re: Case No. 148

Hi Michele,

The Chairman is okay with the exhibits being sent to the Committee, but he recommends that the copies could be provided to the Committee at the hearing instead of mailed to prevent copies needing to be made at the hearing.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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>>> "Maser, Michele R." <MMaser@jsslaw.com> 10/13/2009 2:54 PM >>>  
Tara,

We have filed additional hearing exhibits (some of which pertain to the Committee Members' requests) and Applicant's responses to the various questions raised by the Committee Members with Docket Control today.

It is our intention to send these documents to all parties and to the Committee Members by Federal Express. If you would like to see copies

of the documents first, please let me know and I will email them to you. As you have previously advised me, I will not include any type of correspondence/communication to the Committee members-only the documents which were filed with Docket Control.

Michele

Michele Irons Maser  
Legal Assistant  
Jennings, Strouss & Salmon P.L.C.  
201 E. Washington Street, 11th Floor  
Phoenix, AZ 85004-2385  
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**From:** "Lawrence Robertson" <tubaclawyer@aol.com>  
**To:** "John Foreman" <John.Foreman@AZAG.GOV>, "Janice Alward" <JAlward@azcc.go...>  
**Date:** 10/14/2009 9:27 AM  
**Subject:** Prepared Testimony of Pinal County Witness in Siting Case No. 148  
**Attachments:** Prepared Direct Testimony M. Gonzalez Case 148.pdf

To Chairman Foreman and Counsel for all Parties of Record:

Twenty-five (25) copies of the attached prepared Direct Testimony of Pinal County witness Manuel ("Manny") T. Gonzalez will be filed with the Arizona Corporation Commission's Docket Control this morning. Mr. Gonzalez is tentatively scheduled to testify in Siting Case No. 148 on the afternoon of October 19, 2009.

Mr. Robertson will have a few additional copies of the attached testimony with him when the hearings in Siting Case No. 148 resume next Monday.

Please let me know if you have any questions.

Angela R. Trujillo

Secretary

Lawrence V. Robertson, Jr.

**Prepared Direct Testimony  
Of  
Manuel ("Manny") T. Gonzalez  
In  
Docket No. L-00000B-09-0311-00148  
Siting Case No. 148**

**Q.1 Please state your name and business address.**

A.1 My name is Manuel ("Manny") T. Gonzalez. My business address is P. O. Box 827, 31 N. Pinal Street, Bldg A, 2<sup>nd</sup> Floor, Florence, Arizona 85232

**Q.2 By whom are you employed and in what capacity?**

A.2 I am employed by Pinal County, Arizona. I am an Assistant County Manager.

**Q.3 Have you previously appeared before the Siting Committee on behalf of Pinal County?**

A.3 Yes, I was a witness in Siting Case No. 138, and I attended the Siting Committee hearings in Siting Case No. 142.

**Q.4 Why is Pinal County interested in Applications for CECs and proceedings before the Siting Committee?**

A.4 In a sense, Pinal County is geographically located at a "crossroads" for the electric utility industry in Arizona. Arizona Public Service Company ("APS"), Salt River Project ("SRP"), Tucson Electric Power Company ("TEP"), Southwest Transmission Cooperative, Inc. ("SWTC") and the United States Department of Energy's Western Area Power Administration ("WAPA") each have existing electric transmission lines which extend for miles through Pinal County. Several of these entities also have recently received CECs for additional electric transmission facilities, which include a Pinal County presence; or, they have CEC Applications currently pending involving such facilities. Two (2) examples of the latter are the Joint Application of TEP and SWTC in Siting Case No. 149, and SRP's currently pending CEC Application in this proceeding.

In addition, Pinal County has become the site for actual and proposed construction of electric generation facilities in recent years. The Desert Basin and Sundance power plants are examples of the former. Recently, a CEC was granted for TransCanada's proposed 540 MW simple-cycle natural gas-fired Coolidge Power Project electric generation facility in Siting Case No. 141; and, SRP has indicated that it intends to file a CEC Application for a proposed natural gas-fired electric generation facility, which also would be located in Pinal County. The size of that facility has not been publicly announced as yet.

1 Inasmuch as the siting and operation of facilities of this nature can have a direct impact  
2 upon Pinal County's intermediate and long-term land use and development planning  
3 goals, as well as the overall quality of life for residents within Pinal County, the Board of  
4 Supervisors concluded earlier this year that it was important that Pinal County be in a  
5 position to directly represent and express its interests in connection with such projects  
6 from the outset. At that time, the Board of Supervisors adopted a Resolution (i) directing  
7 Pinal County Staff to intervene and participate as appropriate in six (6) then contemplated  
8 Siting Committee proceedings, which were listed on the calendar maintained by the  
9 Chairman of the Siting Committee, and (ii) authorizing the retention of outside counsel in  
10 connection with such intervention and participation.

11  
12 Siting Case No. 142 was the first case in which Pinal County intervened and participated  
13 following adoption of the Resolution in April 2009. This case represents the second in  
14 which Pinal County intervened; and, two (2) weeks ago, Pinal County participated in the  
15 Siting Committee hearings and deliberations in Siting Case No. 149, which were  
16 concluded on October 7, 2009.

17  
18 **Q.5 Had Pinal County participated as an Intervener in any Siting Committee**  
19 **proceedings prior to the Board of Supervisors adoption of the April 2009**  
20 **Resolution?**

21 **A.5** Yes. Pinal County participated in Siting Case No. 138. In that case, Pinal County and  
22 APS were able to reach agreement on a modification of APS' proposed transmission  
23 alignment in the vicinity of the Pinal County Fairgrounds, which the Siting Committee  
24 and the Arizona Corporation Commission ("ACC") subsequently approved.

25  
26 **Q.6 Has Pinal County Staff reviewed the CEC Application and supporting documents**  
27 **that were filed by SRP on June 12, 2009, which have become the subject of this**  
28 **proceeding?**

**A.6** Yes, we have. In addition, prior to the commencement of the evidentiary hearings in this  
case, Pinal County's outside counsel and I drove those portions of the various alternative  
transmission line alignments identified by SRP, which are passable in a passenger  
vehicle; and we also viewed the three (3) alternative sites for Receiving Station No. 24  
(RS-24) which SRP had originally identified. Finally, I have attended some of the  
evidentiary hearings which have been conducted in this case; and, Pinal County's outside  
counsel has provided me with periodic status reports for those hearing days when I was  
unable to attend.

**Q.7 Has Pinal County identified any areas or issues which are of particular concern to**  
**its interests in this case?**

**A.7** Yes, there are three (3) such areas or issues of concern. The first pertains to which  
transmission line alignment is most appropriate for that portion of the Abel-Moody

Transmission Project ("Project") between the Abel substation site and RS-24. The second issue or area of concern relates to what is the most appropriate site for RS-24. The third issue or area of concern is associated with the determination of which transmission line alignment is most appropriate for that portion of the Project between RS-24 and the Moody substation.

**Q.8 Which transmission line alignment between the Abel substation site and RS-24 does Pinal County believe is most appropriate and why?**

A.8 Pinal County believes that the South Railroad Alignment (Preferred) proposed by SRP is the most appropriate for that portion of the Project. As SRP has indicated, the South Railroad Alignment was selected by SRP as its preferred alignment because, when compared to the other alignments south of RS-24, the area it transects is almost entirely undeveloped, with very few residences in the immediate vicinity. It is also the most direct route between the Abel substation site and RS-24. As a consequence, the South Railroad Alignment is shorter and less expensive than either the Combs Alignment or the Skyline Alignment. Each of those two (2) alternatives also require a number of turning transmission supporting structures, which (i) creates a "zig-zag" pattern across the countryside, and (ii) adds to that visual impact which would otherwise be created by a 230 kV transmission line under any circumstances. Whereas, the South Railroad Alignment appears to require the use of turning supporting structures at only one (1) location, and it would not involve a "zig-zag" pattern over a number of miles.

An additional consideration is the position of governmental jurisdictions that would be impacted by each of the possible transmission alignments SRP has identified for the Project area between the Abel substation site and RS-24. The two (2) jurisdictions in question are Pinal County and the Arizona State Land Department ("ASLD"). As I have just indicated, Pinal County strongly supports the South Railroad, which is also SRP's preferred route; and, it firmly opposes both the Combs Alignment and the Skyline Alignment. Further, ASLD has not indicated any opposition to the South Railroad Alignment.

Finally, it is my understanding that during its evidentiary presentation in this case, SRP indicated that it had not received any expressions of opposition to the South Railroad Alignment from the general public.

Thus, for all of these reasons, Pinal County firmly believes that the South Railroad Alignment is the most appropriate transmission line alignment between the Abel substation site and SR-24, and urges the Siting Committee and the ACC to adopt that route as a part of their respective decisions in Siting Case No. 148.

**Q.9 Which site does Pinal County believe is the most appropriate for RS-24, and why?**

A.9 Pinal County strongly supports the RS-24 candidate site located directly northwest of the intersection of Riggs Road/Meridian Road/Combs Road, which has been referred to as the "northwest site" during the evidentiary hearings in this proceeding. Pinal County

1 firmly opposes both the candidate site which is located directly northeast of the  
2 aforementioned intersection, and the candidate site which is located directly southeast of  
3 that same intersection. Pinal County's support for the northwest site for RS-24 is based  
4 upon the following considerations.

5 First, we believe that the northwest site is the most appropriate of the three (3) candidate  
6 sites for RS-24, when existing and planned land uses for adjacent and surrounding  
7 properties are taken into account. Second, SRP has testified that it has already acquired  
8 an option to purchase the acreage necessary to construct RS-24 on the northwest site.  
9 That is not the situation with respect to the other two (2) candidate sites; and, it is my  
10 understanding that the owner of the southeast site has indicated it would firmly resist the  
11 construction of a receiving station at that location. Third, SRP has also testified that the  
12 northwest site provides it with ingress and egress to readily accommodate the South  
13 Railroad Alignment, and all identified alignments north of RS-24. It is my understanding  
14 that the same cannot be said for the other two (2) candidate sites. Fourth, the northwest  
15 site is either supported or unopposed by all parties of record in this proceeding. The  
16 same cannot be said for the northeast site or the southeast site. Finally, and importantly,  
17 SRP has recently testified that the northeast and southeast sites are "no longer under  
18 active consideration" by it, and that they have effectively been withdrawn by SRP.

19 Thus, for all of these reasons, Pinal County believes that the northwest site is the most  
20 appropriate site for RS-24.

21 **Q.10 What is Pinal County's position with respect to the question of which transmission**  
22 **alignment is most appropriate for the area between RS-24 and the Moody**  
23 **substation?**

24 **A.10** Pinal County is sensitive to the concerns of and opposition to the North Railroad  
25 Alignment and the Ocotillo Alignment which have been expressed during the hearings by  
26 the Town of Queen Creek and the Town of Gilbert, respectively. Accordingly, we do not  
27 support either of those alignments north of RS-24. Pinal County is also sensitive to the  
28 concerns which have been expressed by the City of Mesa with regard to the use of  
Germann Road.

Pinal County can support the Ryan to Signal Butte Alignment, which is preferred by  
SRP. Pinal County also would not oppose the Ryan to Meridian Alignment; provided,  
however, that the 230 kV transmission line and supporting structures are sited and  
constructed on the west side of Meridian Road. In that regard, it is Pinal County's  
understanding that the Town of Queen Creek is supportive of an alignment that would  
place the line and supporting structures on the west side of Meridian Road. which is  
significant inasmuch as this alignment would be within the municipal boundaries of the  
Town of Queen Creek. In addition, Pinal County has also been discussing that precise  
alignment with SRP, and hopefully SRP will be supportive as well in the event that the  
Siting Committee decides to use an alignment along Meridian Road.

1 **Q.11 Which transmission line alignment would Pinal County prefer between RS-24 and**  
2 **the Abel Substation?**

3 A.11 In a sense, Pinal County's position is more one of strong opposition to a particular  
4 portion of a particular suggested alignment, as I discuss below, rather than a strong  
5 preference for a particular alignment in this portion of the project.

6 More specifically, the Ocotillo Alignment, the North Railroad Alignment and the Ryan  
7 Road-Signal Butte Alignment would not have any direct impact upon Pinal County.  
8 Similarly, a Germann Road-Signal Butte Alignment would not have a direct impact upon  
9 Pinal County; and, a Germann Road-Meridian Road Alignment or a Ryan Road-Meridian  
10 Road Alignment, with the transmission corridor and transmission line located west of the  
11 centerline of Meridian Road also would not have a direct impact on Pinal County. Thus,  
12 Pinal County has no objection to any of those alignments.

13 Pinal County is strongly opposed to any alignment which would place SRP's 230 kV line  
14 on the east side of Meridian Road, which is within Pinal County's jurisdictional  
15 boundaries. Two (2) alignments have been suggested which would utilize Meridian  
16 Road. One is the Germann Road-Meridian Road Alignment, and the other is a Ryan  
17 Road-Meridian Road Alignment. If the Siting Committee should consider either of these  
18 alignments for adoption, Pinal County would not object as long as the transmission  
19 corridor granted to SRP was restricted to the west side of Meridian Road, as measured  
20 from the centerline of Meridian Road.

21 **Q.12 Why does Pinal County oppose a transmission line corridor and the proposed 230**  
22 **kV transmission line facilities being on the east side of Meridian Road?**

23 A.12 There are several platted subdivisions on the east side of Meridian Road which  
24 conceivably could be impacted by the presence of the proposed 230 kV transmission line  
25 and associated transmission corridor, if located on that side of Meridian Road. These  
26 plats represent Pinal County's existing land-use plans for development in the area. In  
27 addition, Meridian Road has been designated to become a major and critical north-south  
28 transportation arterial under the December 2008 Regionally Significant Route for Safety  
and Mobility ("RSRSM") Final Report, which was adopted by Pinal County and twenty-  
one (21) other jurisdictional entities. Implementation of RSRSM will entail acquisition  
of increased right-of-way on the east side of Meridian Road. Coupled with the location  
of SRP's 230 kV line east of the RSRSM right-of-way, the resulting impact on the platted  
subdivisions I have mentioned would be compounded. Finally, to the extent that "sharing  
the burden" is a relevant consideration, Pinal County will be sharing the entirety of the  
"burden" of the proposed transmission facilities with only ASLD south of RS-24; and,  
none of the other Intervenor in this case will experience any of that burden. Whereas, if  
the transmission line and associated transmission corridor are located on the east side of  
Meridian Road north of RS-24, Pinal County would bear a disproportionately large share  
of the Project burdens.

1 Thus, for these reasons, Pinal County strongly opposes any transmission corridor and  
2 transmission line alignment which would use the east side of Meridian Road north of RS-  
3 24.

4 **Q.13 Does that complete your direct testimony in this proceeding?**

5 **A.13 Yes, it does.**  
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28

**From:** "Craig Marks" <craig.marks@azbar.org>  
**To:** <John.Foreman@AZAG.GOV>  
**Date:** 10/14/2009 11:06 AM  
**Subject:** RE: Mesa's Testimony Summaries  
**Attachments:** Craig A Marks2.vcf; 091014 Notice of Filing Testimony Summary (Peacock).pdf  
**CC:** <b.slavin@fjslegal.com>, <Tara.Williams@AZAG.GOV>, <ejohnson@azcc.gov>, ...  
Chairman Foreman,

I am attaching a copy of an additional testimony summary, which the City of Mesa is filing today.

Thank you.

Craig

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From: JIM BRASELTON [mailto:Jim.Braselton@mwmf.com]  
Sent: Tuesday, October 13, 2009 2:13 PM  
To: John.Foreman@azag.gov  
Cc: b.slavin@fjslegal.com; Tara.Williams@azag.gov; ejohnson@azcc.gov; JAlward@azcc.gov; kylemi@ci.gilbert.az.us; gmiles@davismiles.com; rporter@davismiles.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; GARY BIRNBAUM; sundlof@jsslaw.com; sswakefield@rhhklaw.com; Rob.Taylor@srpnet.com; ludall@cgsuslaw.com; Craig Marks; wsullivan@cgsuslaw.com; Susan.Ellis@azag.gov; jkbrandt@srpnet.com; kjbarr@srpnet.com; Bill Taebel; TubacLawyer@aol.com; Maser, Michele R.; Shawn Nelson  
Subject: RE: Mesa's Testimony Summaries

Attached is a document the Town of Queen Creek is filing with docket control today.

From: Craig Marks [mailto:craig.marks@azbar.org]  
Sent: Thursday, September 24, 2009 7:00 AM  
To: John.Foreman@azag.gov  
Cc: b.slavin@fjslegal.com; Tara.Williams@azag.gov; ejohnson@azcc.gov; JAlward@azcc.gov; kylemi@ci.gilbert.az.us; gmiles@davismiles.com; rporter@davismiles.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; GARY BIRNBAUM; JIM BRASELTON; sundlof@jsslaw.com; sswakefield@rhhklaw.com; Rob.Taylor@srpnet.com; ludall@cgsuslaw.com; wsullivan@cgsuslaw.com; Susan.Ellis@azag.gov; jkbrandt@srpnet.com; kjbarr@srpnet.com; Bill Taebel; TubacLawyer@aol.com; Maser, Michele R.; Shawn Nelson  
Subject: Mesa's Testimony Summaries

Chairman Foreman,

I am attaching copies of the testimony summaries for two witnesses that the City of Mesa will call at the hearing. Scot H. Rigby (Revised 9/23/09), and Vince Stark. In addition to these two witnesses, Mesa intends to have two more witnesses testify on its behalf: Walter L. Fix and Bryan G. Raynes. Mesa filed and distributed testimony summaries for these two witnesses on August 4, 2009.

We will be filing these at the Commission later today.

Thank you.

Craig

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BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF  
SALT RIVER PROJECT AGRICULTURAL  
IMPROVEMENT AND POWER DISTRICT, IN  
CONFORMANCE WITH THE REQUIREMENTS  
OF ARIZONA REVISED STATUTES, SECTIONS  
40-360 et seq., FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF A 230 kV  
DOUBLE-CIRCUIT TRANSMISSION LINE  
ORIGINATING AT THE PLANNED AND  
PERMITTED ABEL SUBSTATION, NEAR JUDD  
AND ATTAWAY ROADS IN PINAL COUNTY,  
TO THE PLANNED AND PERMITTED RS-17  
SUBSTATION, ADJACENT TO THE EXISTING  
MOODY SUBSTATION, LOCATED NEAR  
PECOS AND RECKER ROADS, IN THE TOWN  
OF GILBERT, MARICOPA COUNTY, ARIZONA,  
INCLUDING A NEW 230/69 KV SUBSTATION  
NEAR THE INTERSECTION OF COMBS AND  
MERIDIAN ROADS, IN OR ADJACENT TO THE  
TOWN OF QUEEN CREEK, ARIZONA

Docket No. L-00000B-09-0311-00148

Case No. 148

**CITY OF MESA**

**NOTICE OF FILING TESTIMONY  
SUMMARY**

1           In accordance with the June 17, 2009, Procedural Order in this Docket, the City of Mesa,  
2   Arizona ("Mesa") hereby files a testimony summary for Debra and Don Peacock. Ms. Peacock  
3   may appear separately, or together with her husband, Don Peacock.

1 RESPECTFULLY SUBMITTED on October 14, 2009.

2  
3  
4 /s/Craig A. Marks  
5 Craig A. Marks  
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13 Mesa City Attorney  
14 PO Box 1466  
15 Mesa, AZ 85211-1466  
16 Bill.Taebel@mesaaz.gov  
17 (480) 644-5784

18  
19 **Attorneys for the City of Mesa, Arizona**

20  
21 **Original and 25 copies filed**  
22 **on October 14, 2009, with:**

23  
24 Docket Control  
25 Arizona Corporation Commission  
26 1200 West Washington  
27 Phoenix, Arizona 85007

28  
29 **Copies of the foregoing e-mailed on**  
30 **October 14, 2009, to all parties of record**

31  
32  
33 By: /s/Craig A. Marks

**Summary of Testimony – Debra and Don Peacock**

Debra and Don Peacock reside at 8733 E. Winnston Circle, in Mesa, Arizona. The Peacocks will show that their property would be under a high-voltage transmission line — with a transmission pole in their back yard — if the Germann Road alignment is selected. The Peacocks will discuss their home and current lifestyle and how they would be affected by a transmission line along Germann Road.

**From:** "Craig Marks" <craig.marks@azbar.org>  
**To:** <Rob.Taylor@srpnet.com>, <sundlof@jsslaw.com>, <cschmaltz@gustlaw.com>, ...  
**Date:** 10/14/2009 12:30 PM  
**Subject:** Mesa Exhibits  
**Attachments:** Craig A Marks.vcf; 090924 Exhibit ME-3 Gateway Studios - Aerial.pdf; 091007 Exhibit ME-4.pdf; 091014 Exhibit ME-5.pdf; 091014 Exhibit ME-6.pdf; 091014 Exhibit ME-7.pdf; 091014 Exhibit ME-8.pdf; 091014 Exhibit ME-9.pdf; 091014 Exhibit ME-10.pdf; 091014 Exhibit ME-11.pdf; 091014 Exhibit ME-12.PDF; 091014 Exhibit ME-13.PDF  
  
**CC:** <John.Foreman@AZAG.GOV>, "Bill Taebel" <Bill.Taebel@mesaaz.gov>, "Mas... Counsel,

I have attached copies of the additional exhibits the City of Mesa plans to use beginning on Monday. ME-3 was previously sent out, but I have included it again for your convenience.

Craig

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**From:** "Craig Marks" <craig.marks@azbar.org>  
**To:** "Joan Pyles" <Joan.Pyles@mwmf.com>  
**Date:** 10/14/2009 3:30 PM  
**Subject:** RE: Queen Creek Line Siting  
**Attachments:** Craig A Marks.vcf

**CC:** <b.slavin@fjslegal.com>, <Tara.Williams@azag.gov>, <ejohnson@azcc.gov>, ...  
Joan,

The procedural order provides that you are supposed to provide each party copies (emphasis added):

10. All parties shall meet, confer and exchange all exhibits the party plans to offer in evidence before the hearing or before they are referred to in testimony or offered in evidence. The Applicant shall, and other parties may, provide one or more three ring binders for the Chairman and each member of the Line Siting Committee to hold exhibits at the beginning of the hearing and as needed during the hearing. Each party shall prepare a *numbered list of the exhibits and a copy of all exhibits suitable for placement in the binders that have been exchanged with the other parties that each party expects to offer in evidence at the hearing for the Chairman and each Line Siting Committee member. The exhibits shall be provided at the beginning of the hearing and during the hearing before reference to the exhibit is made in the hearing. Except for good cause, no exhibit that was not exchanged with the other parties shall be considered at the hearing. Any exhibit to which reference is made during any hearing that is not offered or admitted into evidence shall be provided to the court reporter at the evidentiary hearing for inclusion in the record unless it is withdrawn, and the Chairman determines its filing is not necessary to an understanding of the actions of the Committee.*

Please e-mail me a copy of the filing.

Thank you.

Craig

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From: Joan Pyles [mailto:Joan.Pyles@mwmf.com]  
Sent: Wednesday, October 14, 2009 3:20 PM  
To: b.slavin@fjslegal.com; Tara.Williams@azag.gov; ejohnson@azcc.gov; JAIward@azcc.gov; kylemi@ci.gilbert.az.us; gmiles@davismiles.com; rporter@davismiles.com; cschmaltz@gustlaw.com; jason@jasonbarney.com; GARY BIRNBAUM; sundlof@jsslaw.com; sswakefield@rhhklaw.com; Rob.Taylor@srpnet.com; ludall@cgsuslaw.com; wsullivan@cgsuslaw.com; Susan.Ellis@azag.gov; jkbrandt@srpnet.com; kjbarr@srpnet.com; TubacLawyer@aol.com; JIM BRASELTON; GARY BIRNBAUM; Craig.Marks@azbar.org; Randy Nussbaum; shawn.nelson@azbar.org  
Subject: Queen Creek Line Siting

Ladies and Gentlemen:

Attached you will find a copy of the Town of Queen Creek's Notice of Filing of Exhibits which has been filed with the ACC this afternoon. Pursuant to the ACC Rules, 25 copies of this document and the exhibits were filed with the ACC.

Joan B. Pyles

Legal Assistant to

Michael R. Scheurich and

James T. Braselton

Mariscal, Weeks, McIntyre & Friedlander, P.A.

Phone: 602-285-5111

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1 **MARISCAL, WEEKS, MCINTYRE**  
2 **& FRIEDLANDER, P.A.**

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4 James T. Braselton (No. 010788)  
5 2901 North Central Avenue, Suite 200  
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7 Direct: 602-285-5009  
8 Fax: 602-285-5100  
9 *Attorneys for Town of Queen Creek*

7 **BEFORE THE ARIZONA POWER PLANT AND**  
8 **TRANSMISSION LINE SITING COMMITTEE**

9 IN THE MATTER OF THE APPLICATION OF )  
10 SALT RIVER PROJECT AGRICULTURAL )  
11 IMPROVEMENT AND POWER DISTRICT, IN )  
12 CONFORMANCE WITH THE REQUIREMENTS) OF ARIZONA REVISED STATUTES, SECTIONS)  
13 40-360 et seq., FOR A CERTIFICATE OF ) ENVIRONMENTAL COMPATIBILITY )  
14 AUTHORIZING CONSTRUCTION OF A 230 kV )  
15 DOUBLE-CIRCUIT TRANSMISSION LINE )  
16 ORIGINATING AT THE PLANNED AND )  
17 PERMITTED ABEL SUBSTATION, NEAR JUDD )  
18 AND ATTAWAY ROADS IN PINAL COUNTY, )  
19 TO THE PLANNED AND PERMITTED RS-17 )  
20 SUBSTATION, ADJACENT TO THE EXISTNG )  
21 MOODY SUBSTATION, LOCATED NEAR )  
22 PECOS AND RECKER ROADS, IN THE TOWN )  
23 OF GILBERT, MARICOPA COUNTY, )  
24 ARIZONA, INCLUDING A NEW 230/69 kV )  
25 SUBSTATION NEAR THE INTERSECTION OF )  
26 COMBS AND MERIDIAN ROADS, IN OR )  
ADJACENT TO THE TOWN OF QUEEN )  
CREEK, ARIZONA )

DOCKET No. L-00000B-09-0311-00148

Case No. 148

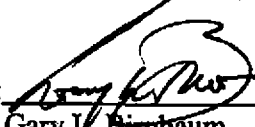
22 **TOWN OF QUEEN CREEK'S NOTICE OF FILING OF EXHIBITS**

23 Notice is hereby given that, except as noted, exhibits QC-1 – QC-27 were filed with  
24 Docket Control of the Arizona Corporation Commission on this date. Exhibit QC-9 is  
25 intentionally deleted; Exhibit QC-23 are photographs in the possession of SRP and not currently  
26 in the possession of the Town of Queen Creek; Exhibit QC-10 (Petitions) have already been  
admitted in evidence and are voluminous and have therefore been omitted; and Exhibit QC-11

1 (Petition Circulator Materials), if not currently available to the Town of Queen Creek, will be  
2 filed immediately upon receipt.

3 Dated the 14<sup>th</sup> of October, 2009.

4 **MARISCAL, WEEKS, MCINTYRE**  
5 **& FRIEDLANDER, P.A.**

6  
7 By:   
8 Gary L. Birnbaum  
9 Arizona Bar No. 004386  
10 James T. Braselton  
11 Arizona Bar No. 010788  
12 2901 N. Central Avenue, Suite 200  
13 Phoenix, Arizona 8012  
14 Telephone: (602)285-5111  
15 Fax: (602)285-5100  
16 Attorneys for Town of Queen Creek

13 Pursuant to A.A.C. R14-3-204, the original  
14 and twenty-five (25) copies of the foregoing  
15 Notice are hand-delivered for filing this 14<sup>th</sup> day  
16 of October, 2009 to:

17 Docket Control  
18 Arizona Corporation Commission  
19 1200 West Washington Street  
20 Phoenix, Arizona 85007

21 A copy of the foregoing Notice are  
22 being mailed this same date to:

23 John Foreman  
24 Assistant Arizona Attorney General  
25 Chairman, Arizona Power Plant and  
26 Transmission Line Siting Committee  
1275 West Washington  
Phoenix, Arizona 85007

Janice Alward, Chief Counsel  
Legal Division  
Arizona Corporation Commission  
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30 201 East Washington Street, Suite 800  
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9 Phoenix, Arizona 85072-2025

10 Marta T. Hetzer  
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12 2200 North Central Avenue  
13 Phoenix, Arizona 85004-1481

14   
15 U:\ATTORNEYS\GLB\Town of Queen Creek\Notice of Filing of Exhibits 10 14 09.doc  
16  
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24  
25  
26

**From:** "Minora Tellez" <mtellez@davismiles.com>  
**To:** <TubacLawyer@aol.com>, <John.Foreman@azag.gov>  
**Date:** 10/14/2009 10:08 PM  
**Subject:** RE: No. 148 Vlachos Parties' Notice of Assoc. of Counsel  
**Attachments:** Vlachos Parties' Notice of.pdf  
  
**CC:** <b.slavin@fjslegal.com>, <Tara.Williams@azag.gov>, <craig.marks@azbar.or...  
Mr. Chairman,

Attached is Vlachos Parties' Notice of Association of Counsel.

Regards,

Minora Tellez  
Legal Assistant  
(480) 344-4048

davis|miles, PLLC  
with offices in Arizona and New Mexico  
MAILING ADDRESS  
PO Box 15070  
Mesa, AZ 85211-3070

PHYSICAL ADDRESS 560 West Brown Rd., 3rd Fl.  
Mesa, AZ 85201  
Tel: (480) 733-6800  
Fax: (480) 733-3748  
<http://www.davismiles.com>

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To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax related penalties under the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

**From:** "Minora Tellez" <mtellez@davismiles.com>  
**To:** <TubacLawyer@aol.com>, <John.Foreman@azag.gov>  
**Date:** 10/14/2009 11:14 PM  
**Subject:** RE: No. 148 Summary of Direct Testimony of Witnesses on Behalf of Vlachos Parties  
**Attachments:** Summary of direct testimony.pdf  
  
**CC:** <b.slavin@fjslegal.com>, <Tara.Williams@azag.gov>, <craig.marks@azbar.or...  
Mr. Chairman,

Attached is Summary of Direct Testimony of Witnesses on Behalf of  
Vlachos Parties.

Regards,

Minora Tellez  
Legal Assistant  
(480) 344-4048

davis|miles, PLLC  
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Minora Tellez  
Legal Assistant  
(480) 344-4048

davis|miles, PLLC  
with offices in Arizona and New Mexico  
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Mesa, AZ 85211-3070

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Mesa, AZ 85201  
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Fax: (480) 733-3748  
<http://www.davismiles.com>

**From:** "Buzz Slavin" <b.slavin@fjslegal.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>  
**Date:** 10/15/2009 9:57 AM  
**Subject:** RE: Abel-Moody

Tara - Thank you for your email. I will attend the conference tomorrow at the Attorney General's office. Buzz

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]  
Sent: Thursday, October 15, 2009 8:56 AM  
To: b.slavin@fjslegal.com  
Subject: Abel-Moody

Mr. Slavin,

Since you are now listed as counsel for Vlachos Entities with Mr. Miles and Mr. Nelson, I am notifying you of a procedural conference for the parties involved in the Abel-Moody case scheduled for tomorrow at 1:30 PM. It will be held here at the Attorney General's Office, 1275 W Washington.

Please let me know if you have any questions.

Thank you,  
Tara Williams  
Assistant  
Consumer Protection & Advocacy Section  
Office of the Attorney General  
Tel: (602) 542-7759  
Fax: (602) 542-4377  
tara.williams@azag.gov

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**From:** "Legal Secretary" <ls1@fjslegal.com>  
**To:** <Tara.Williams@azag.gov>, <ejohnson@azcc.gov>, <JAlward@azcc.gov>, <kyle...  
**Date:** 10/15/2009 12:23 PM  
**Subject:** Queen Creek Line Siting  
**Attachments:** Vlachos Parties' Notice of Filing Exhibits.pdf

**CC:** "Buzz Slavin" <b.slavin@fjslegal.com>, <gmiles@davismiles.com>, <rport...  
Ladies and Gentlemen:

Attached you will find a copy of Vlachos Parties' Notice of Filing of Exhibits which has been filed with the ACC. Pursuant to the ACC Rules, 25 copies of this document and the exhibits were filed with the ACC.

Thank you,

Maria T. Irons

Legal Secretary

LAW OFFICE OF FRANCIS J. SLAVIN, P.C.

2198 East Camelback Road, Suite 285

Phoenix, Arizona 85016

Tel. (602) 381-8700

Fax (602) 381-1920

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**From:** "Joan Pyles" <Joan.Pyles@mwmf.com>  
**To:** <b.slavin@fjslegal.com>, <ejohnson@azcc.gov>, <JAlward@azcc.gov>, <kylem...  
**Date:** 10/16/2009 1:21 PM  
**Attachments:** Town of Queen Creek Objections and Proposed Modifications to Applicant's Proposed Certificate of Environmental Compatibility.pdf

**CC:** "JIM BRASELTON" <Jim.Braselton@mwmf.com>, "GARY BIRNBAUM"  
<Gary.Birnbaum...  
The attached document was filed with the ACC today by Mr. Birnbaum and  
Mr. Braselton on behalf of the Town of Queen Creek.

1                                   **BEFORE THE ARIZONA POWER PLANT AND**  
2                                   **TRANSMISSION LINE SITING COMMITTEE**

3 IN THE MATTER OF THE APPLICATION OF   )  
4 SALT RIVER PROJECT AGRICULTURAL       )  
5 IMPROVEMENT AND POWER DISTRICT, IN   )  
6 CONFORMANCE WITH THE REQUIREMENTS) DOCKET No. L-00000B-09-0311-00148  
7 OF ARIZONA REVISED STATUTES, SECTIONS)  
8 40-360 et seq., FOR A CERTIFICATE OF    )  
9 ENVIRONMENTAL COMPATIBILITY            )  
10 AUTHORIZING CONSTRUCTION OF A 230 k V)  
11 DOUBLE-CIRCUIT TRANSMISSION LINE       )  
12 ORIGINATING AT THE PLANNED AND         )  
13 PERMITTED ABEL SUBSTATION, NEAR JUDD)  
14 AND ATTAWAY ROADS IN PINAL COUNTY,     )  
15 TO THE PLANNED AND PERMITTED RS-17     )  
16 SUBSTATION, ADJACENT TO THE EXISTNG     )  
17 MOODY SUBSTATION, LOCATED NEAR         )  
18 PECOS AND RECKER ROADS, IN THE TOWN    )  
19 OF GILBERT, MARICOPA COUNTY,            )  
20 ARIZONA, INCLUDING A NEW 230/69 kV       )  
21 SUBSTATION NEAR THE INTERSECTION OF     )  
22 COMBS AND MERIDIAN ROADS, IN OR         )  
23 ADJACENT TO THE TOWN OF QUEEN            )  
24 CREEK, ARIZONA                            )

Case No. 148

16                                   **TOWN OF QUEEN CREEK'S OBJECTIONS AND**  
17                                   **PROPOSED MODIFICATIONS TO APPLICANT'S PROPOSED**  
18                                   **CERTIFICATE OF ENVIRONMENTAL COMPATABILITY**

18           Pursuant to the request of the Arizona Power Plant and Transmission Line Siting  
19 Committee, Intervenor Town of Queen Creek ("Queen Creek") respectfully submits its  
20 objections and proposed modifications to Applicant's Proposed Certificate of Environmental  
21 Compatibility (July 24, 2009). The following modifications are requested.

22           I. Limitations on CEC Grant

23           Queen Creek requests that the CEC approval language (pg. 2, l 16) be made expressly  
24 "subject to the terms and conditions set forth below."

25           II. Approved Transmission Line

26           Queen Creek requests that the approved alignment (p. 2, ll. 22-26) be modified to  
provide:

1 "The alignment then parallels the UPRR and an existing  
2 69kV line southeast to Germann Road. The alignment  
3 then parallels the Germann Road alignment until it  
4 intersects Meridian Road, then turns south on Meridian  
5 Road and continues until it reaches the approved RS  
6 24 substation site".

7  
8  
9  
10  
11  
12 III. Approved Substation Site (RS 24).

13 Queen Creek requests that the provisions relating to approved substation site (p. 2, l. 26-  
14 p. 3, l. 1) be modified as follows:

15 "The RS 24 Substation shall be located at the  
16 "northwest" site which is currently subject to a  
17 purchase option in favor of Applicant. Construction is  
18 subject to Applicant's compliance with the screening  
19 and landscape requirements set forth below."

20  
21  
22 IV. Transmission Structure Heights.

23 Queen Creek requests that the structure height provisions (p. 3, ll 2-4) be modified as  
24 follows:

25 "The typical transmission structure heights will be in the  
26 range of 75-120 feet, but will not exceed 120 feet, and will  
occupy a right-of-way ("ROW") width not to exceed 100  
feet."

V. Corridor Width and Location

Queen Creek requests that the corridor width provisions (p. 3, ll 4-6) be modified as  
follows:

"The ROW may be located within a 250 foot corridor  
east of the centerline of the UPRR and Magna RR to  
Germann Road; within a 250 foot corridor west of the  
centerline of Meridian Road; and within a 250 foot  
corridor north and/or south of the centerline of  
Germann Road as generally depicted on SRP Exhibits  
75-83; provided, however, that the number, location  
and precise height of transmission structures along  
Germann Road may be reasonably determined by  
Applicant, but in compliance with the FAA "no  
hazard" determinations."

1  
2 VI. Duration of CEC

3 Queen Creek requests that the provisions relating to duration/expiration (p. 5, ¶7, II 2-4)  
4 be modified as follows:

5 "7. This authorization to construct the project shall  
6 expire, with respect to the transmission line, five (5)  
7 years from the date the Certificate is approved by  
8 the Commission and, with respect to the Substation,  
9 seven (7) years from the date the Certificate is  
approved by the Commission, unless the  
transmission line and Substation, respectively, are  
capable of operation."

10  
11 VII. SUBSTATION SCREENING

12 Queen Creek requests the addition of the following provisions/conditions relating to  
13 screening of the Substation (RS 24) improvements at the approved Substation Site.

14 "Unless modified by agreement of Applicant and Queen  
15 Creek, the Substation (RS24) improvements shall be  
16 screened by construction of a structural masonry wall on all  
17 sides of the Substation improvements. The wall shall be of  
18 a type, height, composition and appearance generally  
consistent with Exhibit QC 22 (Screening Wall Illustration)  
and Exhibit QC 23 (Substation Wall Photographs)."

19 VIII. SUBSTATION SITE LANDSCAPING

20 Queen Creek requests the addition of the following provisions/additional conditions  
21 relating to landscaping of the approved Substation (RS24) site:

22 "Unless modified by agreement of Applicant and  
23 Queen Creek, the substation site (i.e. the area around  
24 and outside the screen wall) shall be landscaped (and  
25 such landscaping shall be maintained) on all sides of  
the Substation improvements. The landscaping shall  
be generally consistent with that depicted on Exhibit  
26 QC 22. Applicant shall be required to spend up to  
but not more than \$500,000 in connection with the  
acquisition and installation of such landscaping."

IX. Mitigation/Linear Park

1 Queen Creek requests the addition of the following provisions/additional conditions  
2 relating to mitigation of the impact of the transmission line within the Town of Queen Creek."

3  
4 "Applicant shall pay to Queen Creek, upon  
5 commencement of construction of the approved  
6 transmission line, Two Million Dollars (\$2,000,000)  
7 to be used by Queen Creek to mitigate the impacts of  
8 the transmission line. Specifically, if practicable, the  
9 mitigation funds may be utilized to construct a "linear  
10 park" under or proximate to the transmission line and  
11 extending east to the planned Queen Creek regional  
12 park."

13 Queen Creek reserves the right to propose further modifications, deletions or additions  
14 to the proposed CEC based upon evidence received and/or arguments made at the hearing  
15 currently in progress or in response to proposals of the Applicant, the Committee or other  
16 parties.

17 Respectfully submitted this 16<sup>th</sup> day of October, 2009.

18 Mariscal, Weeks, McIntyre  
19 & Friedlander, P.A.

20   
21 By: Gary L. Birnbaum

22 Gary L. Birnbaum  
23 Arizona Bar No. 004386  
24 James T. Braselton  
25 Arizona Bar No. 010788  
26 2901 N. Central Avenue, Suite 200  
Phoenix, Arizona 8012  
Telephone: (602)285-5111  
Fax: (602)285-5100  
Attorneys for Town of Queen Creek

27 Pursuant to A.A.C. R14-3-204, the original  
28 and twenty-five (25) copies of the foregoing  
29 Notice are hand-delivered for filing this 16th day  
30 of October, 2009 to:

31 Docket Control  
32 Arizona Corporation Commission  
33 1200 West Washington Street  
34 Phoenix, Arizona 85007

1 A copy of the foregoing Notice are  
2 being mailed this same date to:

3 John Foreman  
4 Assistant Arizona Attorney General  
5 Chairman, Arizona Power Plant and  
6 Transmission Line Siting Committee  
7 1275 West Washington  
8 Phoenix, Arizona 85007

9 Janice Alward, Chief Counsel  
10 Legal Division  
11 Arizona Corporation Commission  
12 1200 West Washington Street  
13 Phoenix, Arizona 85007

14 Kenneth C. Sundlof, Jr.  
15 Attorney at Law  
16 Jennings, Strouss & Salmon, P.L.C  
17 201 East Washington Street, 11<sup>th</sup> Floor  
18 Phoenix, Arizona 85004

19 Manny T. Gonzalez  
20 Assistant County Manager  
21 Pinal County  
22 Administrative Services  
23 P.O. Box 827  
24 31 North Pinal Street, Bldg. A, 2<sup>nd</sup>  
25 Florence, Arizona 85132-9713

26 Craig Marks  
27 Craig A. Marks, PLC  
28 10645 North Tatum Blvd., Suite 200-676  
29 Phoenix, Arizona 85028

30 Kyle Mieras  
31 90 East Civic Center Drive  
32 Gilbert, Arizona 85296

33 Lawrence V. Robertson, Jr.  
34 P.O. Box 1448  
35 2247 East Frontage Road  
36 Tubac, AZ 85646

37 Christopher Schmaltz  
38 Gust Rosenfeld, PLC  
39 201 East Washington Street, Suite 800  
40 Phoenix, Arizona 85004

1 Francis Slavin  
Francis J. Slavin, PC  
2 2198 East Camelback Road, Suite 285  
Phoenix, Arizona 85016-8491

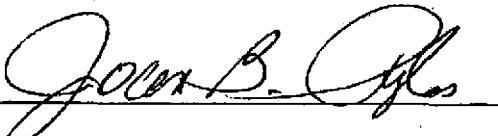
3 Scott Wakefield  
4 Ridenour, Hienton, Kelfhoffer & Lewis, PLLC  
201 North Central Avenue, Suite 3300  
5 Phoenix, Arizona 85004-1052

6 Rebecca Porter  
7 Gregory Miles  
Davis Miles, PLLC  
8 P.O. Box 15070  
Mesa, Arizona 85211-3070

9  
10 Michael A. Curtis  
William P. Sullivan  
11 Larry K. Udall  
501 East Thomas Road  
12 Phoenix, AZ 85012-3205

13 Robert Taylor  
Regulatory Affairs & Contracts, PAB 221  
14 P.O. Box 52025  
15 Phoenix, Arizona 85072-2025

16 Marta T. Hetzer  
Arizona Reporter Services, Inc.  
17 2200 North Central Avenue  
18 Phoenix, Arizona 85004-1481

19 

20 D:\ATTORNEYS\UTB\Queen Creek, Towne of\Condemnation\Queen Creek\Pleadings\QC Objections and proposed modifications to  
21 applicant's proposed certificate of environmental compatibility.doc

**From:** "Nicole Stewart" <n.stewart@fjslegal.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>, "John Foreman" <John.Forem...>  
**Date:** 10/16/2009 6:04 PM  
**Subject:** Notice Of Intent To Be A Party  
**Attachments:** Notice of Intent To Be A Party by FJS,.pdf 091016.PDF

Ladies and Gentlemen:

Attached hereto please see a copy of our Notice Of Intent To Be A Party, which was filed today with the ACC. Pursuant to A.A.C. R14-3-204, the original and 25 copies of this Notice were filed this afternoon.

Thank you,

Nicole Stewart

Nicole M. Stewart

Legal Assistant

Law Offices of Francis J. Slavin, P.C.

2198 E. Camelback Road, Suite 285

Phoenix, Arizona 85016

(602) 381-8700

1 Francis J. Slavin, #002972  
FRANCIS J. SLAVIN, P.C.  
2 2198 East Camelback Road, Suite 285  
Phoenix, Arizona 85016  
3 (602) 381-8700  
(602) 381-1920 (facsimile)  
4 Email: service@fjslegal.com  
*Attorneys for Circle G Development, Barney Farms,*  
5 *William Lyon Homes and Meridian Crossing Partners*

6 Ralph W. Pew, #005744  
PEW & LAKE PLC  
7 1744 S. Val Vista Drive, Suite 217  
Mesa, Arizona 85204-7366  
8 (480) 461-4670  
(480) 461-4676 (facsimile)  
9 *Attorneys for Property Reserve Inc. and Fulton Homes*

10 **BEFORE THE ARIZONA POWER PLANT AND**  
11 **TRANSMISSION LINE SITING COMMITTEE**

12 **IN THE MATTER OF THE**  
13 **APPLICATION OF SALT RIVER**  
14 **PROJECT AGRICULTURAL**  
15 **IMPROVEMENT AND POWER**  
16 **DISTRICT, IN CONFORMANCE WITH**  
17 **THE REQUIREMENTS OF ARIZONA**  
18 **REVISED STATUTES, SECTIONS 40-360**  
19 **et seq., FOR A CERTIFICATE OF**  
20 **ENVIRONMENTAL COMPATIBILITY**  
21 **AUTHORIZING CONSTRUCTION OF A**  
22 **230 kV DOUBLE-CIRCUIT**  
23 **TRANSMISSION LINE ORIGINATING**  
24 **AT THE PLANNED AND PERMITTED**  
25 **ABEL SUBSTATION, NEAR JUDD AND**  
26 **ATTAWAY ROADS IN PINAL COUNTY,**  
**TO THE PLANNED AND PERMITTED**  
**RS-17 SUBSTATION, ADJACENT TO**  
**THE EXISTING MOODY SUBSTATION,**  
**LOCATED NEAR PECOS AND RECKER**  
**ROADS, IN THE TOWN OF GILBERT,**  
**MARICOPA COUNTY, ARIZONA,**  
**INCLUDING A NEW 230/69 kV**  
**SUBSTATION NEAR THE**  
**INTERSECTION OF COMBS AND**

**DOCKET No. L-00000B-09-0311-00148**

**Case No. 148**

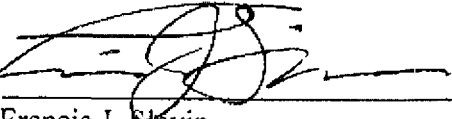
**NOTICE OF INTENT  
TO BE A PARTY**

1 **MERIDIAN ROADS, IN OR ADJACENT )**  
2 **TO THE TOWN OF QUEEN CREEK )**  
3 **ARIZONA )**

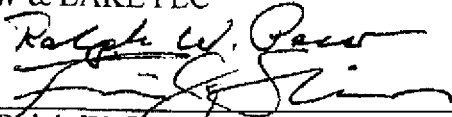
4 Pursuant to A.R.S. § 40-360.05(A)(2), Francis J. Slavin, P.C., counsel for Circle G  
5 Development, Barney Farms, William Lyon Homes and Meridian Crossing Partners, and  
6 Pew & Lake PLC, counsel for Fulton Homes and Property Reserve, Inc., hereby  
7 respectfully submit their Notice of Intent To Be A Party in the above-captioned and above-  
8 docketed proceeding.

9 RESPECTFULLY SUBMITTED THIS 16<sup>TH</sup> DAY OF OCTOBER, 2009.

10 FRANCIS J. SLAVIN, P.C.

11 By:   
12 Francis J. Slavin  
13 2198 East Camelback Road, Suite 285  
14 Phoenix, Arizona 85016  
15 Attorneys for Circle G Development,  
16 Barney Farms, William Lyon Homes  
17 and Meridian Crossing Partners

18 PEW & LAKE PLC

19 By:   
20 Ralph W. Pew  
21 1744 S. Val Vista Drive, Suite 217  
22 Mesa, Arizona 85204-7366  
23 Attorneys for Property Reserve Inc. and  
24 Fulton Homes

25 Pursuant to A.A.C. R14-3-204, the original  
26 and twenty-five (25) copies of the foregoing  
Notice are hand-delivered for filing this 16<sup>th</sup>  
day of October, 2009 to:

1 Docket Control  
2 Arizona Corporation Commission  
3 1200 West Washington Street  
4 Phoenix, Arizona 85007

5 A copy of the foregoing **Notice** is  
6 being e-mailed this same date to:

7 John Foreman  
8 Assistant Arizona Attorney General  
9 Chairman, Arizona Power Plant and  
10 Transmission Line Siting Committee  
11 1275 West Washington Street  
12 Phoenix, Arizona 85007

13 Janice Alward, Chief Counsel  
14 Legal Division  
15 Arizona Corporation Commission  
16 1200 West Washington Street  
17 Phoenix, Arizona 85007

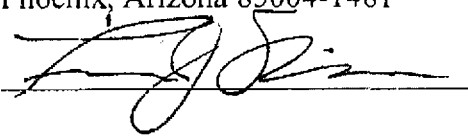
18 Kenneth C. Sundlof, Jr.  
19 Jennings, Strouss & Salmon, P.L.C.  
20 201 East Washington Street, 11<sup>th</sup> Floor  
21 Phoenix, Arizona 85004

22 Manny T. Gonzalez  
23 Assistant County Manager  
24 Pinal County  
25 Administrative Services  
26 P.O. Box 827  
31 North Pinal Street, Bldg. A, 2<sup>nd</sup>  
Florence, Arizona 85232

27 Craig Marks  
28 Craig A. Marks, PLC  
29 10645 North Tatum Blvd., Suite 200-676  
30 Phoenix, Arizona 85028

31 Kyle Mieras  
32 90 East Civic Center Drive  
33 Gilbert, Arizona 85296

- 1 Lawrence V. Robertson, Jr.  
2 P.O. Box 1448  
3 2247 East Frontage Road  
4 Tubac, Arizona 85646
- 5 Christopher Schmaltz  
6 Gust Rosenfeld, PLC  
7 201 East Washington Street, Suite 800  
8 Phoenix, Arizona 85004
- 9 Scott Wakefield  
10 Ridenour, Hienton, Kelfhoffer & Lewis, PLLC  
11 201 North Central Avenue, Suite 3300  
12 Phoenix, Arizona 85004-1052
- 13 Michael A. Curtis  
14 William P. Sullivan  
15 Larry K. Udall  
16 501 East Thomas Road  
17 Phoenix, Arizona 85012-3205
- 18 Robert Taylor  
19 Regulatory Affairs & Contracts, PAB 221  
20 P.O. Box 52025  
21 Phoenix, Arizona 85072-2025
- 22 Marta T. Hetzer  
23 Arizona Reporting Service, Inc.  
24 2200 North Central Avenue  
25 Phoenix, Arizona 85004-1481

26 

**From:** "Nicole Stewart" <n.stewart@fjslegal.com>  
**To:** "Tara Williams" <Tara.Williams@azag.gov>, "John Foreman" <John.Forem...>  
**Date:** 10/16/2009 7:29 PM  
**Subject:** Vlachos Parties' Notice of Filing One (1) Additional Exhibit  
**Attachments:** Vlachos Parties' Notice of Filing One (1) Additional Exhibit.pdf

**CC:** "Buzz Slavin" <b.slavin@fjslegal.com>  
Ladies and Gentlemen:

Attached you will find a copy of Vlachos Parties' Notice of Filing One (1) Additional Exhibit. This Notice will be filed Monday, November 19, 2009. Copies will be distributed to the Committee and the participants at the hearing Monday morning. This exhibit is the development master plan for Fulton Homes' Ironwood Crossing project, comprising 700 acres and 2,100 lots. I apologize for this late filing. We were not provided this exhibit until early this afternoon.

Francis "Buzz" Slavin

Nicole M. Stewart

Legal Assistant

Law Offices of Francis J. Slavin, P.C.

2198 E. Camelback Road, Suite 285

Phoenix, Arizona 85016

(602) 381-8700

1 Gregory L. Miles, #005263  
Shawn E. Nelson, #019228  
2 DAVIS MILES PLLC  
P.O. Box 15070  
3 Mesa, Arizona 85211-3070  
(480) 733-6800  
4 (480) 733-3748 (facsimile)  
*Attorneys for V&P Nursery/Demetrios Vlachos*

5 Francis J. Slavin, #002972  
6 FRANCIS J. SLAVIN, P.C.  
2198 East Camelback Road, Suite 285  
7 Phoenix, Arizona 85016  
(602) 381-8700  
8 (602) 381-1920 (facsimile)  
Email: service@fjslegal.com  
9 *Attorneys for Circle G Development, Barney Farms,*  
*William Lyon Homes and Meridian Crossing Partners*

10 Ralph W. Pew, #005744  
11 PEW & LAKE PLC  
1744 S. Val Vista Drive, Suite 217  
12 Mesa, Arizona 85204-7366  
(480) 461-4670  
13 (480) 461-4676 (facsimile)  
14 *Attorneys for Property Reserve Inc. and Fulton Homes*

15 **BEFORE THE ARIZONA POWER PLANT AND**  
16 **TRANSMISSION LINE SITING COMMITTEE**

17 **IN THE MATTER OF THE**  
18 **APPLICATION OF SALT RIVER**  
19 **PROJECT AGRICULTURAL**  
20 **IMPROVEMENT AND POWER**  
21 **DISTRICT, IN CONFORMANCE WITH**  
22 **THE REQUIREMENTS OF ARIZONA**  
23 **REVISED STATUTES, SECTIONS 40-360**  
24 **et seq., FOR A CERTIFICATE OF**  
25 **ENVIRONMENTAL COMPATIBILITY**  
26 **AUTHORIZING CONSTRUCTION OF A**  
**230 kV DOUBLE-CIRCUIT**  
**TRANSMISSION LINE ORIGINATING**  
**AT THE PLANNED AND PERMITTED**  
**ABEL SUBSTATION, NEAR JUDD AND**  
**ATTAWAY ROADS IN PINAL COUNTY,**  
**TO THE PLANNED AND PERMITTED**

) **DOCKET No. L-00000B-09-0311-00148**

) **Case No. 148**

1 RS-17 SUBSTATION, ADJACENT TO )  
2 THE EXISTING MOODY SUBSTATION, )  
3 LOCATED NEAR PECOS AND RECKER )  
4 ROADS, IN THE TOWN OF GILBERT, )  
5 MARICOPA COUNTY, ARIZONA, )  
6 INCLUDING A NEW 230/69 kV )  
7 SUBSTATION NEAR THE )  
8 INTERSECTION OF COMBS AND )  
9 MERIDIAN ROADS, IN OR ADJACENT )  
10 TO THE TOWN OF QUEEN CREEK )  
11 ARIZONA )

12  
13  
14 **VLACHOS PARTIES' NOTICE OF FILING ONE (1) ADDITIONAL EXHIBIT**

15 Notice is hereby given that one (1) additional exhibit, DV-9, was filed with the  
16 Docket Control of the Arizona Corporation Commission on October 19, 2009.

17  
18  
19 **LIST OF EXHIBITS**

20  
21 **EXHIBIT NO.**

22 **DESCRIPTION**

23 DV-9

24 Map of Fulton Homes' Ironwood Crossing Master  
25 Development Plan

26  
DATED this 16<sup>th</sup> day of October, 2009.

DAVIS MILES PLLC

27  
28 *Shawn E. Nelson*  
29 By: *Gregory L. Miles*  
30 Gregory L. Miles  
31 Shawn E. Nelson  
32 P.O. Box 15070  
33 Mesa, Arizona 85211-3070  
34 Attorneys for V&P Nursery/  
35 Demetrius Vlachos

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2198 E. Camelback Rd. Ste. 285  
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By: 

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*Attorneys for Circle G Development,  
Barney Farms, William Lyon Homes  
and Meridian Crossing Partners*

PEW & LAKE PLC

By: 

Ralph W. Pew

1744 S. Val Vista Drive, Suite 217  
Mesa, Arizona 85204-7366

*Attorneys for Property Reserve Inc. and  
Fulton Homes*

Pursuant to A.A.C. R14-3-204, the original  
and twenty-five (25) copies of the foregoing  
**Notice** are being hand-delivered for filing the  
19<sup>th</sup> day of October, 2009 to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

A copy of the foregoing **Notice** is  
being e-mailed this 16<sup>th</sup> day of October to:

John Foreman  
Assistant Arizona Attorney General  
Chairman, Arizona Power Plant and  
Transmission Line Siting Committee  
1275 West Washington Street  
Phoenix, Arizona 85007

Janice Alward, Chief Counsel  
Legal Division

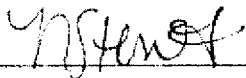
- 1 Arizona Corporation Commission
- 2 1200 West Washington Street
- 3 Phoenix, Arizona 85007
- 4 Kenneth C. Sundlof, Jr.
- 5 Jennings, Strouss & Salmon, P.L.C.
- 6 201 East Washington Street, 11<sup>th</sup> Floor
- 7 Phoenix, Arizona 85004
- 8 Manny T. Gonzalez
- 9 Assistant County Manager
- 10 Pinal County
- 11 Administrative Services
- 12 P.O. Box 827
- 13 31 North Pinal Street, Bldg. A, 2<sup>nd</sup>
- 14 Florence, Arizona 85132-9713
- 15 Craig Marks
- 16 Craig A. Marks, PLC
- 17 10645 North Tatum Blvd., Suite 200-676
- 18 Phoenix, Arizona 85028
- 19 Kyle Mieras
- 20 90 East Civic Center Drive
- 21 Gilbert, Arizona 85296
- 22 Lawrence V. Robertson, Jr.
- 23 P.O. Box 1448
- 24 2247 East Frontage Road
- 25 Tubac, Arizona 85646
- 26 Christopher Schmaltz
- 27 Gust Rosenfeld, PLC
- 28 201 East Washington Street, Suite 800
- 29 Phoenix, Arizona 85004
- 30 Scott Wakefield
- 31 Ridenour, Hinton, Kelfhoffer & Lewis, PLLC
- 32 201 North Central Avenue, Suite 3300
- 33 Phoenix, Arizona 85004-1052
- 34 Michael A. Curtis
- 35 William P. Sullivan

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2148 E. Camelback Rd. Ste. 285  
Phoenix, Arizona 85016

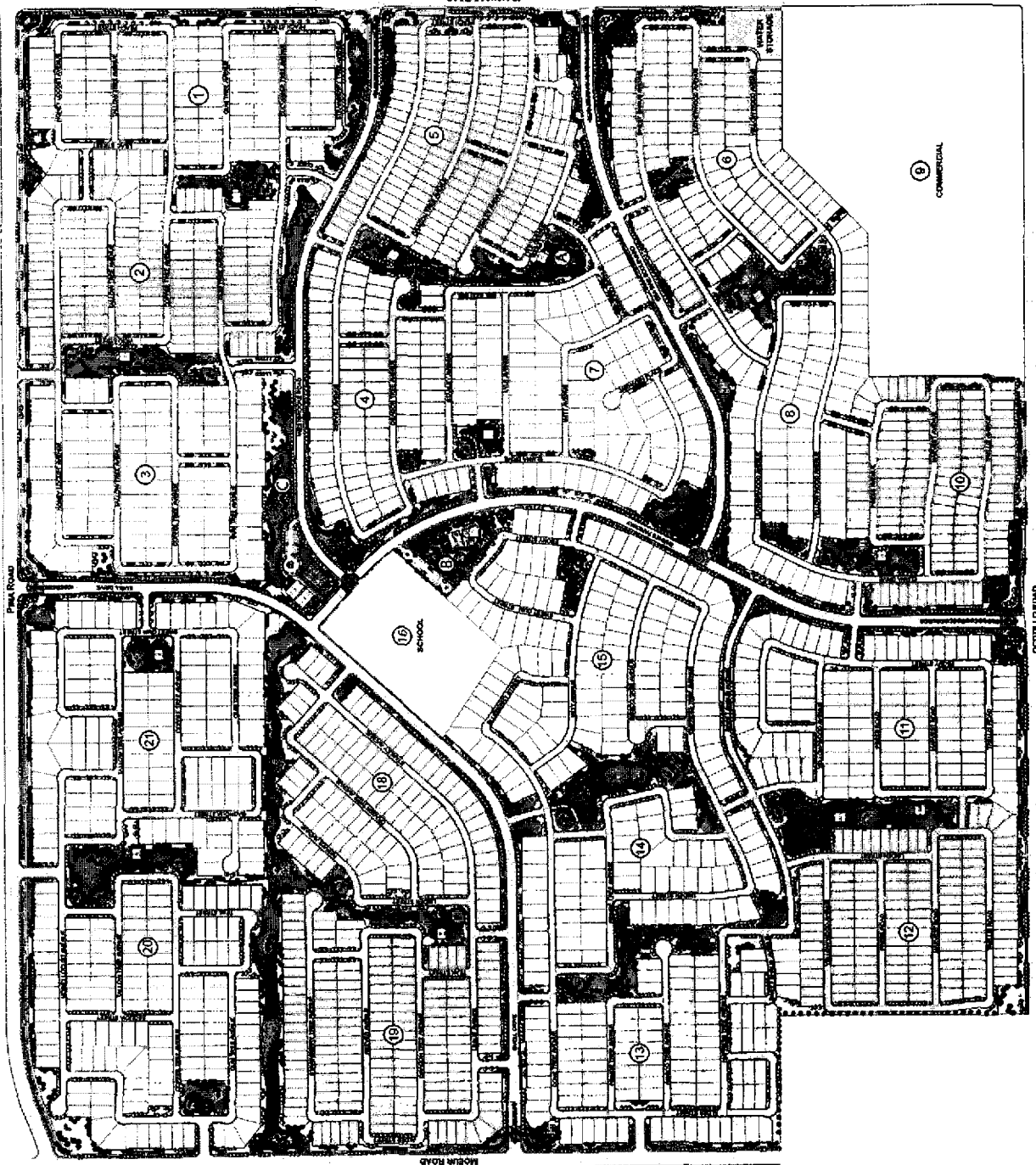
1 Larry K. Udall  
2 501 East Thomas Road  
3 Phoenix, Arizona 85012-3205

4 Robert Taylor  
5 Regulatory Affairs & Contracts, PAB 221  
6 P.O. Box 52025  
7 Phoenix, Arizona 85072-2025

8 Marta T. Hetzer  
9 Arizona Reporter Services, Inc.  
10 2200 North Central Avenue  
11 Phoenix, Arizona 85004-1481

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**EXHIBIT DV-9**



### Single Family Site Data

Parcel	Acres	D.U./Ac	Lot Size	Units
1	28.45	1.00	60' x 125'	101
2	38.37	1.35	48' x 115'	144
3	40.35	1.53	70' x 125'	101
4	31.84	1.12	60' x 120'	104
5	42.27	1.62	48' x 115'	157
6	36.01	1.08	60' x 120'	110
7	32.95	1.15	70' x 125'	91
8	32.04	1.12	70' x 125'	83
9	38.47	1.35	48' x 115'	144
10	38.10	1.35	48' x 115'	144
11	37.94	1.35	48' x 115'	144
12	26.99	1.00	60' x 120'	113
13	27.40	1.00	70' x 125'	68
14	37.43	1.35	48' x 115'	144
15	33.88	1.26	60' x 120'	97
16	34.32	1.26	60' x 120'	97
17	44.40	1.65	48' x 115'	166
18	44.40	1.65	48' x 115'	166
19	44.40	1.65	48' x 115'	166
20	44.40	1.65	48' x 115'	166
21	45.32	1.65	48' x 115'	150
Total				2107

Open Space	127.2
School	10.5
Commercial	50

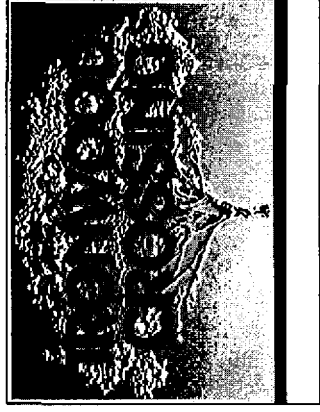
### Lot Mix

Dimension	Size	Units
48' x 115'	70'	144
60' x 120'	70'	101
60' x 125'	70'	83
70' x 125'	70'	91

### Legend

- ⑥ PARCEL NUMBER
- ④ MODEL HOMES
- ③ AQUATICS CENTER
- ② LINEAR PARK

## Fulton Homes



master development plan

